

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/064,386	SAITO, SOHYA	
	<b>Examiner</b>	<b>Art Unit</b>	
	Aaron D Matthew	2114	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application 10/064386, filed on 07/09/2002.
2. ☒ The allowed claim(s) is/are 1-10 and 12.
3. ☒ The drawings filed on 09 July 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Galliani on 01/05/2005.

The application has been amended as follows:

- Line 2 of paragraph 0002 has been changed to read, "that a high-speed line capable of delivering a large amount of data, such as audio data";
- Line 3 of paragraph 0006, line 2 of paragraph 0013, and 2 of paragraph 0014 have been changed to read, "...one or more communication pathss...";
- Line 3 of paragraph 0015 has been changed to read, "...communication pathss with one...";
- Line 2 of claims 1 and 10 have been changed to read, "...one or more communication pathss...";
- Line 3 of claim 12 has been changed to read, "communication pathss...";
- Line 14 of claim 1 has been changed to read, "a processing unit operable to determine, in a case where ~~said~~ one communication";

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- Lines 19 and 21 of claim 1 have been changed to read, “interconnecting devices in said disconnected communication path...”;
- Line 12 of claim 10 has been changed to read, “determining, when said one communication path has been disconnected...”;
- Line 17 of claim 10 has been changed to read, “disconnected communication path...”;
- Lines 18 and 20 of claim 10 has been changed to read, “...in said disconnected communication...”;
- Line 1 of claim 12 has been changed to read, “A computer-readable medium storing a program comprising computer executable instructions for managing a network”;
- Line 14 of claim 12 has been changed to read, “...when said one communication path”;
- Line 18 of claim 12 has been changed to read, “...in said disconnected communication path...”
- Claim 11 has been cancelled.

***Allowable Subject Matter***

Claims 1-10, and 12 are allowed.

Claim 11 has been cancelled.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the limitation of, "a diagnosis unit operable to sequentially control said one or more interconnecting devices in said disconnected communication path having said disconnection release function to acquire corresponding communication statuses of said interconnecting devices in said disconnected communication path, and to diagnose a probable location of trouble in said disconnected communication path," in combination with the other limitations of the claim, was not found in any prior art.

Regarding claim 10, the limitation of, "sequentially controlling each of said interconnecting devices in said disconnected communication path having said disconnection release function to acquire communication statuses of said interconnecting devices in said disconnected communication path, and diagnosing a probable location of trouble in said interconnecting devices or said transmission media in said disconnected communication path," in combination with the other limitations of the claim, was not found in any prior art.

Regarding claim 12, the limitation of, "a diagnosis module operable for sequentially controlling each of said interconnecting devices in said disconnected communication path having said disconnection release function to acquire

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communication statuses of said interconnecting devices, and for diagnosing a probable location of trouble in said interconnecting devices or said transmission media," in combination with the other limitations of the claim, was not found in any prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Winokur et al, (US 5,539,877), teaches maintaining a knowledge base to better determine the source of future errors in a communications system.

Vittal, (US 6,810,496 B1), teaches a management station for troubleshooting a network.

Casper et al, (US 4,451,916), teaches a repeatered, fiber optic communication network capable of determining and isolating the source of a fault.

Anderson, (US 5,825,515), teaches a supervisory apparatus in repeated communication system, wherein each repeater is utilized by the supervisory apparatus to determine the source of a fault in the optical transmission system.

Nakayashiki et al, (US 4,899,142), teaches a network system in which interconnecting devices can be individually activated and deactivated.

Katker et al, (US 5,917,831), teaches a system for sequentially utilizing nodes within a line of communication to determine the source of a fault.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron D Matthew whose telephone number is (571) 272-3662. The examiner can normally be reached on Mon-Fri, from 8:00 am - 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aaron D Matthew  
Examiner  
Art Unit 2114

ADM

  
ROBERT BEAUSOLIEL  
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